

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR § 1.53(b)

**Mail Stop PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation application under 37 CFR § 1.53(b), of pending prior application:

Serial No. 09/462,867  
Filed on January 18, 2000  
Of Eisuke WAYAMA et al.  
Entitled: THROTTLE DEVICE FOR INTERNAL-COMBUSTION  
ENGINE  
Examiner: E. Solis  
Group: 3747

- X 1. Accompanying this order is a true copy of the prior application as originally filed.

Total pages: 48

- X 2. Formal drawings are being filed herewith consisting of 26 sheets, depicting Figures 1-28.

- X 3. Declaration and Power of Attorney:

a.    Newly executed (original or copy)

b. X Copy from prior application

i.    Deletion of Inventors - signed statement  
attached deleting inventor(s) named in the prior  
application

- X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.



- ☐ 5. Cancel original claims \_\_\_\_.
- ☐ 6. Small entity status:
- a. ☐ Is still proper and desired.
- b. ☐ Is no longer claimed
- X 7. The filing fee is calculated below:

Claims as Filed, Including Any Claims  
Cancelled or Added by Preliminary Amendment

Basic Fee							\$375/750	=	\$750.00
Total Claims	11	-	20	=	0	x	\$9/18	=	\$
Independent Claims	6	-	3	=	3	x	\$42/84	=	\$252.00
Multiple Dependent Claim Presented							\$140/280	=	\$
Total Filing Fee									\$1002.00

- ☐ 8. Please charge the deposit account of undersigned, No. 05-1323, in the amount of \$\_\_\_\_ (Docket #\_\_\_\_).
- X 9. A check in the amount of \$1002.00 to cover the filing fee is enclosed.
- X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR § 1.16 or 37 CFR § 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #056208.48551C1).
- X 11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 09/462,867, filed January 18, 2000, which is a 371 of PCT/JP99/02401, filed May 10, 1999.--
- ☐ 12. Priority of Appln. No. --, filed in -- on --, is hereby claimed under 35 USC 119.
- ☐ 13. A certified copy of each said priority document was filed in application Serial No. -- on --.
- X 14. The prior application is assigned of record to Hitachi, Ltd. and Hitachi Car Engineering Co., Ltd.
- X 15. The power of attorney in the prior application is to:
- Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

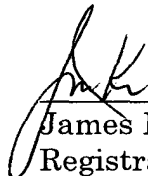
- X a. The power appears in the original application papers in the prior application.
- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X d. Address all future correspondence to:

CROWELL & MORING, L.L.P.  
P.O. Box 14300  
Washington, DC 20044-4300

- X 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- X 17. A Preliminary Amendment is being filed herewith.
- X 18. Return Receipt Postcard.

Respectfully submitted,

September 24, 2003

  
James F. McKeown  
Registration No. 25,406

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JFM/acd